

# Underground Storage Tanks

## Upcoming Virginia Regulatory Changes

This fact sheet is a summary of proposed regulatory changes, and is subject to change. The proposed Regulation is expected to be effective in mid-2017.

However, some requirements will become applicable one to three years after the effective date of the regulation while others will become applicable immediately. This information provides Virginia's Underground Storage Tank (UST) owners advance notice so that they can begin preparing for future regulatory requirements.

### Applicability

- Tank and piping release detection will be required for emergency power generator USTs.
- Airport Hydrant Fuel Distribution system USTs and field-constructed USTs will now be regulated and have their own set of requirements.

### Lined Tanks

- A tank owner/operator must permanently close any tank with an internal liner that is no longer performing in accordance with the original design specifications and cannot be repaired in accordance with industry standards.

### Overfill Prevention

- Ball float valves (flow restrictors) will no longer be an option for newly installed USTs or as replacements when existing ball floats fail the required integrity test. Other overfill prevention devices such as shut off valves in fill pipes or alarms will be required.

### New Testing Requirements

- At installation, every three years, and following any repairs, testing must be conducted on secondary containment sumps used for interstitial monitoring, unless they are double-walled and interstitially monitored every 30 days.
- Testing must also be conducted on spill prevention devices (buckets) unless they are double-walled and interstitially monitored.
- A functionality test must be conducted on overfill prevention devices.
- All release detection equipment must be tested annually for proper operation.

### Biofuels

- The tank owner will need to notify DEQ at least 30 days prior to storing biofuels containing greater than 10% ethanol or greater than 20% biodiesel and demonstrate equipment compatibility.

## Walkthrough Inspections

- Every 30 days, tank owners/operators must inspect spill buckets, fill pipes and caps, interstitial areas of double-walled spill buckets, and release detection equipment.

**Note:** If deliveries occur at intervals greater than every 30 days, the spill buckets only need to be checked prior to each delivery.

- Annually, tank owners/operators must inspect all containment sumps, under-dispenser containment, interstitial areas of double-walled containment sumps, and handheld release detection equipment for damage, operability, and leaks (if applicable).
- Records of the walkthrough inspections must be kept for one year.

## Release Detection Records

- Records of groundwater and vapor monitoring site assessments must be signed by a professional engineer or geologist, and the records must be kept as long as the methods are used.

## Operator Training

- As of the effective date of the regulation, facilities with temporarily closed tanks must have certified and trained Class A, Class B, and Class C operators.

## Financial Responsibility

- As of the effective date of the regulation, tank owners/operators must demonstrate financial responsibility for temporarily closed tanks.

## Additional Information

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**DEQ:** <http://www.deq.virginia.gov/programs/landprotectionrevitalization/petroleumprogram.aspx>

**EPA's Office of Underground Storage Tanks:** <https://www.epa.gov/ust>

**Virginia Town Hall:** <http://townhall.virginia.gov/L/Register.cfm>

The easiest way to be aware of regulatory changes is to register to receive notifications from the Virginia Regulatory Town Hall.

## Implementation Time Frames for New UST Requirements

Items Effective Immediately (on effective date of UST regulation)
Ball float valves may no longer be used to meet the overfill prevention requirement for new installs or when an existing ball float valve is replaced.
Repaired equipment will need to be tested following the repair.
Closure required for internally lined tanks that fail the internal lining inspection and cannot be repaired according to a code of practice.
Equipment compatibility will need to be demonstrated for tanks storing biofuels.
For airport hydrant fuel distribution systems and UST systems with field-constructed tanks: <ul style="list-style-type: none"> <li>• Notification and financial responsibility<sup>1</sup></li> <li>• Release Reporting</li> <li>• Closure</li> </ul>
Financial Responsibility (FR) and Operator Training for temporarily out of use tanks and emergency generator tanks installed before 9/15/10.
Items Effective 3 years from effective date of UST regulation
Emergency generators installed prior to September 15, 2010 will need to perform release detection. Those installed on or after 9/15/10 must meet all applicable requirements at installation.
Airport hydrant fuel distribution systems and field constructed tank operating and release detection requirements.
Spill Prevention devices testing. <sup>2</sup>
Overfill Prevention equipment inspections. <sup>2</sup>
Containment sump testing for sumps used for piping interstitial monitoring. <sup>2</sup>
Release detection equipment testing.
Walkthrough inspections required (monthly and annually).
Site assessment records required for groundwater and vapor monitoring release detection.

<sup>1</sup>Note that DEQ is requiring owners and operators to also submit a one-time notification of existence for these UST systems three years from the effective date of the state regulation. Owners and operators must demonstrate financial responsibility when they submit the one-time notification form.

<sup>2</sup>UST systems installed on and after the effective date of the UST regulation must meet these requirements at installation.